

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 24 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: MICHAEL T. ANDERSON.

No. 23-70118

MICHAEL T. ANDERSON,

D.C. No. 9:23-cv-00075-DLC

District of Montana,
Missoula

Petitioner,

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA,
MISSOULA,

Respondent,

MONTANA DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES; et al.,

Real Parties in Interest.

Before: TALLMAN, N.R. SMITH, and COLLINS, Circuit Judges.

Petitioner has not demonstrated a clear and indisputable right to the extraordinary remedy of mandamus. *See In re Mersho*, 6 F.4th 891, 897 (9th Cir. 2021) (“To determine whether a writ of mandamus should be granted, we weigh the five factors outlined in *Bauman v. United States District Court.*”); *Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Accordingly, the petition is denied.

Petitioner’s motion to proceed in forma pauperis (Docket Entry No. 2) is denied as moot.

No further filings will be entertained in this closed case.

DENIED.